

MINUTE ITEM

9. APPLICATION TO LEASE TIDE AND SUBMERGED LAND, SAN JOAQUIN RIVER, ADJOINING ANDRUS ISLAND, SACRAMENTO COUNTY, EARL LUKE AND DON PETERSON - W.O. 3178, P.R.C. 240C.1.

After consideration of Calendar Item 23 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE A FIVE-YEAR LEASE TO EARL LUKE AND DON PETERSON FOR A STRIP OF TIDE AND SUBMERGED LAND OF THE SAN JOAQUIN RIVER, 125 FEET IN WIDTH AND 1,000 FEET IN LENGTH, ADJACENT TO LOTS 35 THROUGH 54 OF SAN ANDREAS PARK SUBDIVISION ON ANDRUS ISLAND, FOR THE CONSTRUCTION, MAINTENANCE AND USE OF A BOAT HARBOR WITH APPURTENANT STRUCTURES. THE LEASE IS TO PROVIDE FOR: (A) \$200 ANNUAL RENT, (B) A SURETY BOND FOR \$5,000, (C) CERTIFICATE OF LIABILITY INSURANCE WITH LIMITS OF NOT LESS THAN \$100,000/\$300,000, AND (D) THREE RENEWAL PERIODS OF TEN YEARS EACH UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE COMMISSION MAY THEN IMPOSE.

Attachment

Calendar Item 23 (1 page)

CALENDAR ITEM

23.

APPLICATION TO LEASE TIDE AND SUBMERGED LAND, SAN JOAQUIN RIVER, ADJOINING ANDRUS ISLAND, SACRAMENTO COUNTY, EARL LUKE AND DON PETERSON - W.O. 3178.

An application has been received from Messrs. Earl Luke and Don Peterson, pursuant to Section 6502 of the Public Resources Code, to lease 2.86 acres of tide and submerged land in the San Joaquin River, approximately 1,000 feet in length and extending waterward a distance of 125 feet from the mean high tide line along Andrus Island, for use as a small boat harbor.

The applicants are the owners of the adjacent uplands, known as Lots 35 through 54 of San Andreas Park Subdivision, which they propose to develop as a motel and trailer park site. This property is located southeast of Rio Vista and is accessible from Highway No. 12 via 4.5 miles of paved levee road. Andrus Island, which has been developed as agricultural land, lies in the heart of the delta area, with ready access to the inland waterways.

Plans for the 2.86 acres of State land call for its gradual development as a boat harbor over a five-year period. Therefore, the calculated annual rental for a lease for a five-year period would be \$200, with provision for three ten-year renewal periods at such reasonable terms as the State may then impose. There would be opportunity for rescheduling the rent, based upon the value of the site, at an earlier date than is provided under the usual fifteen-year lease.

A surety bond of \$5,000 to guarantee performance of the lease terms and conditions and a certificate of liability insurance with limits of \$100,000/\$300,000 are to be supplied by the applicant. The expense deposit and statutory filing fee have been paid.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO ISSUE A FIVE-YEAR LEASE TO EARL LUKE AND DON PETERSON FOR A STRIP OF TIDE AND SUBMERGED LAND OF THE SAN JOAQUIN RIVER, 125 FEET IN WIDTH AND 1,000 FEET IN LENGTH, ADJACENT TO LOTS 35 THROUGH 54 OF SAN ANDREAS PARK SUBDIVISION ON ANDRUS ISLAND, FOR THE CONSTRUCTION, MAINTENANCE AND USE OF A BOAT HARBOR WITH APPURTENANT STRUCTURES. THE LEASE IS TO PROVIDE FOR: (A) \$200 ANNUAL RENT, (B) A SURETY BOND FOR \$5,000, (C) CERTIFICATE OF LIABILITY INSURANCE WITH LIMITS OF NOT LESS THAN \$100,000/\$300,000, AND (D) THREE RENEWAL PERIODS OF TEN YEARS EACH UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE COMMISSION MAY THEN IMPOSE.